

26375. Adulteration and misbranding of butter. U. S. v. Joseph M. Merritt and Leo Watkins (Swiss Butter Plant). Pleas of guilty. Fine, \$100. (F. & D. no. 37930. Sample nos. 34837-B, 34842-B.)

This case involved an interstate shipment of butter that was deficient in milk fat.

On August 28, 1936, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Joseph M. Merritt and Leo Watkins, copartners, trading as the Swiss Butter Plant, Thayne, Wyo., alleging that on or about January 2 and January 17, 1936, the said defendants had shipped from the State of Wyoming into the State of California, quantities of butter which was adulterated and misbranded in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

Misbranding was alleged for the reason that the statement "Butter", borne on the packages, was false and misleading, and for the further reason that the article was labeled to deceive and mislead the purchaser in that it fell below the minimum standard required of a good product to be denominated as butter under the provisions of the act of March 4, 1923.

On October 26, 1936, pleas of guilty were entered and the court imposed a fine of \$50 on each defendant.

M. L. WILSON, Acting Secretary of Agriculture.

26376. Adulteration of canned salmon. U. S. v. Kodiak Fisheries Co. Plea of guilty. Fine, \$200 and costs. (F. & D. no. 37948. Sample nos. 65112-B, 65142-B, 65148-B.)

This case involved canned salmon that was in part decomposed.

On September 24, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Kodiak Fisheries Co., a corporation, Seattle, Wash., alleging that on or about July 29, 1935, the defendant had shipped from Kodiak, Alaska, into the State of Washington a quantity of canned salmon which was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On October 26, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$200 and costs.

M. L. WILSON, Acting Secretary of Agriculture.

26377. Adulteration of butter. U. S. v. Gerlach Grain & Produce Co. Plea of guilty. Fine, \$1 and costs. (F. & D. no. 37963. Sample no. 55659-B.)

This case involved an interstate shipment of butter which was deficient in milk fat.

On September 18, 1936, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Gerlach Grain & Produce Co., a corporation located at Cordell, Okla., alleging that on or about January 25, 1936, the said defendant had shipped from the State of Oklahoma into the State of Illinois a quantity of butter which was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as prescribed by the act of March 4, 1923.

On October 6, 1936, a plea of guilty was entered on behalf of defendant and the court imposed a fine of \$1 and costs.

M. L. WILSON, Acting Secretary of Agriculture.

26378. Misbranding of cottonseed cake. U. S. v. Southland Cotton Oil Co. Plea of guilty. Fine, \$25 and costs. (F. & D. no. 38053. Sample no. 49189-B.)

This case involved an interstate shipment of cottonseed cake which contained less protein than declared on the label.

On October 13, 1936, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Southland Cotton Oil Co., a corporation, Oklahoma City, Okla., alleging that on or about April 11, 1936, said defendant had shipped from the State of Oklahoma into the State of Kansas a quantity of

cottonseed cake which was misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Southland's cottonseed cake and meal Prime Quality Guaranteed Analysis Crude Protein, not less than 43% * * * Southland Cotton Oil Company Head Office Paris, Texas."

The article was alleged to be misbranded in that the statement "Crude Protein, not less than 43%", borne on the label, was false and misleading and in that it was labeled so as to deceive and mislead the purchaser, since the article contained less than 43 percent of crude protein, namely, not more than 40.63 percent of crude protein.

On October 17, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

26379. Adulteration of canned salmon. U. S. v. Oscar L. Grimes (Grimes Packing Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. no. 38020. Sample nos. 65109-B, 65132-B, 73481-B.)

This case involved an interstate shipment of canned salmon which was in part decomposed.

On September 30, 1936, the United States attorney for the District of Alaska, third division, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Oscar L. Grimes, trading as the Grimes Packing Co., at Ouzinkie, Alaska, alleging that on or about August 27, 1935, the said defendant had shipped from the Territory of Alaska into the State of Washington a quantity of canned salmon that was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On October 5, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

26380. Adulteration and misbranding of butter. U. S. v. Klamath Falls Creamery. Plea of guilty. Fine, \$200. (F. & D. no. 38021. Sample nos. 67055-B, 67056-B.)

This case involved interstate shipments of butter that was deficient in milk fat.

On October 7, 1936, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Klamath Falls Creamery, a corporation, Klamath Falls, Oreg., alleging that on or about June 3, 1936, the defendant had shipped from the State of Oregon into the State of California quantities of butter which was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Crater Lake Butter Manufactured by Klamath Falls Creamery Klamath Falls Oregon."

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

Misbranding was alleged for the reason that the statement "Butter", borne on the label, was false and misleading and for the further reason that it was labeled so as to deceive and mislead the purchaser to believe that it was butter, whereas it was not butter as prescribed by the act of March 4, 1923, but was a product containing less than 80 percent by weight of milk fat.

On October 20, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$200.

M. L. WILSON, *Acting Secretary of Agriculture.*

26381. Adulteration and misbranding of butter. U. S. v. Interstate Associated Creameries. Plea of guilty. Fine, \$40. (F. & D. no. 37965. Sample nos. 46543-B, 46950-B.)

This case involved butter that was deficient in milk fat.

On August 17, 1936, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Interstate Associated Creameries, a corporation at Portland, Oreg., alleging that on or about February 29 and March 13, 1936, said defendant had shipped from the State of Oregon into the State of California quantities of butter which was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Red Ribbon Pasteur-